

## REMARKS

In view of the Examiner's determination that the claimed invention was not wholly disclosed until January 8, 1999 in U.S. Patent Application Serial No. 09/227,245, the Reference to Related Applications was updated.

Enclosed for the Examiner's approval is a marked-up copy of Fig. 2 to obviate the drawing objection of claim 10.

On the merits, insofar as the Examiner acted on claims 1-9, this is clearly an oversight since claims 1-9 were canceled in the Preliminary Amendment of January 10, 2002, and the Examiner acknowledged receipt and entry of said amendment.

Main independent claim 10 is directed, among other things, to an instrument for creating a visual display during a "pointing" mode, or for reading coded indicia during a "reading" mode. The choice between pointing and reading is made by manually moving a component (e.g., a focusing lens) between first and second positions in the path of a light beam directed outwardly from the housing through a window. No combination of references shows or suggests these features.

Huang, the principal reference, discloses a pointer and pen instrument. No reading occurs. No movement of a component in the path of a light beam occurs.

Pleako discloses a reader which optionally serves as a pointer. However, the changeover between modes is not performed by moving a component in the path of a light beam.

Barkan discloses an instrument which has no pointing mode. There is no "manual" movement of a component in the light beam path.

Finally, Kobayashi is not at all concerned with moving a component in and out of a light beam directed away from a housing. Instead, Kobayashi discloses a camera in which a close-up lens 2 may be moved in front of a main lens in the "return" path of light reflected from a target.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

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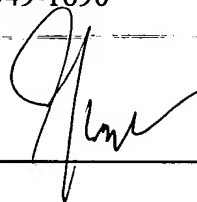
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**MARKED-UP VERSION OF SPECIFICATION AMENDMENTS**

At page 1, please cancel the paragraph submitted in the Preliminary Amendment of January 10, 2002, and substitute the paragraph set forth on the enclosed page.

This application is a division of U.S. Patent Application Serial No. 09/227,245, filed January 8, 1999[, which is a continuation-in-part of U.S. Patent Application Serial No. 08/794,782, filed February 13, 1997, now U.S. Patent No. 6,119,944 and is also related to U.S. Patent Application Serial No. 08/936,288, filed September 24, 1997, now U.S. Patent No. 6,003,774].

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**CLEAN VERSION OF SPECIFICATION AMENDMENTS**

At page 1, please cancel the paragraph submitted in the Preliminary Amendment of January 10, 2002, and substitute the paragraph set forth on the enclosed page.

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*130* This application is a division of U.S. Patent Application Serial No. 09/227,245, filed

January 8, 1999.

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